

## NURSE FILES SUIT AGAINST M'ENERY

Miss Evans Asks \$50,000 Damages for Alleged Breach of Promise.

ACTION WAS FORECAST

WHEN DOCTOR RELINQUISHED M'LAUGHLIN GUARDIANSHIP.

The sequel to the retirement of Dr. William A. McEnery from the contest for the guardianship of his stepdaughter, Isabel Lois McLaughlin, because of his alleged entanglement with Mary M. F. Evans, a nurse in the Murray general hospital, came yesterday. Miss Evans filed a suit for \$50,000 damages for breach of promise against Dr. McEnery in the district court.

The full details of the romance as told by Miss Evans have already been published in The Herald, the scene shifting from a London hospital to Monte Carlo, where Dr. McEnery met Mrs. Honorella McLaughlin, whom he married, and from there to America and Salt Lake, where the nurse came to confront the man by whom she says she was wronged.

The complaint is meager in its details, and only sets forth the fact of the promise to marry and the failure of Dr. McEnery to carry it out. The promise is said to have been made in June, 1906. The marriage of the doctor and Mrs. McLaughlin took place Oct. 4, 1904. As a result of his alleged failure to keep his vow to her, Miss Evans says that her feelings, pride and affections have been deeply wounded, and she has been thereby caused to suffer and still continues to suffer great mental anguish, pain and humiliation.

Miss Evans is represented by Powers & Marioneaux.

## HUSBAND FILES ANSWER

Willing to Let Wife Have Divorce, but Wants to Keep Property.

Clarence W. Taylor will not oppose his wife, Nellie R. Taylor, in her efforts to secure a divorce, but he does not want her to take all his property and therefore he filed an answer yesterday.

He says that with slight exceptions the property in which his wife claims an interest belongs to him alone. They have conducted a rooming house at 158 West Third South street, and shortly before the wife brought suit she moved out and went to live elsewhere. Taylor says that he has a lease which expires January 1, and that he must not be disturbed in his possession of the premises as the income from the roomers is his only support.

Taylor says that his wife is extravagant and if given the property she will dissipate it. She has, he says, enough property aside from him to keep herself and children and asserts that he is an invalid and unable to do manual labor.

Taylor asks that he be given title to his own property and that all the property in which Mrs. Taylor actually has a community interest be turned over to her for the support of her children. This, however, is with the understanding that if she remarries the property is to revert to the children.

## MRS. ANDREWS IS DEAD.

Death Believed to Have Been Result of Shock Last Spring.

A telegram from Pomona, Cal., received in Salt Lake City yesterday, announces the death Sunday afternoon of Mrs. Edward Andrews in the Pomona Valley hospital. The cause was nervous prostration. Last spring Mrs. Andrews fell into the Big Cottonwood creek, and it is believed that the shock resulting therefrom caused her fatal illness.

Mrs. Andrews, accompanied by her sister, Mrs. J. E. White of this city, left for Los Angeles last Tuesday in the hope that a change of climate would prove beneficial. Mrs. Andrews grew so rapidly worse that she was taken from the train at Pomona. The body will be brought to Salt Lake, accompanied by Mrs. White. Mrs. Andrews was 60 years of age. She leaves four sons, George Edward, A. W. H. M. and Raymond. She had lived in Salt Lake thirty-two years. Her home was at 169 East Seventh South street.

S. D. Evans,

Undertaker and embalmer, removed to new location, 48 South State street.

## MODERN WOODMEN ELECTION.

Excelsior camp No. 10,822, Modern Woodmen of America, elected officers last night as follows: A. D. McGuire, venerable consul; C. J. Davis, advisor; J. W. Ewin, clerk; G. Wall, banker; C. Fowler, escort; J. W. Riches, watchman; D. S. Tall, sentry; A. Levy, J. A. Bryan and E. Wittzell, managers; Dr. Sprague and Dr. Townsend, physicians.

## Realty Values

Values in real estate in Salt Lake City have steadily increased. Improved property and soil that is under cultivation yield regular returns. First mortgages, accordingly, are safe investments—especially when they represent property valued at twice the amount of the mortgage. We supply first mortgages yielding a 6 per cent net income.

**SALT LAKE SECURITY AND TRUST COMPANY**  
Opposite Z. C. M. I.

## HOW BRADY PAID FOR THE DRINKS.



Illustrating the Niceties of Etiquette Prevailing in the Big 4.

The rather delicate question of whether M. S. Brady, a Bingham Junction railroad man, set 'em up when his turn came at a little gathering in the Big 4 saloon, 122 West Second South street, on Nov. 25, or failed in this important social duty, was involved in the case of Walt Jenkins, a mixologist, who was in the police court yesterday afternoon, charged with battery.

Brady, who was the complainant, said he had an hour to spare on the day in question and wandered into the Big 4 saloon. There he found Jenkins for the round, and as I had the money one of the wine rooms. He had several

drinks with them, and bought a drink for the crowd.

"Then Jenkins asked what the people in the wine room were going to have on 'Mr. Brady.' I told him that I wouldn't pay for another round of drinks, and that if he brought them in he'd have to settle himself. He went right ahead, and when the refreshments were served he asked me for 35 cents. I refused to pay. He then struck me in the face. When I pulled off my coat and told him I wouldn't permit him to smash me, he hit me again. I then left the place. In the barroom the bartender asked me to pay for the round, and as I had the money handy, I paid him."

Walt Jenkins told a different story. He said he was working for his son, Ross Jenkins.

"Brady came into the place," he said, "and went into a wine room, where two men and three women were seated. Both of the men bought drinks for the crowd, and when Brady's turn came he ordered me to see what the others wanted. I served the drinks. Then he refused to pay for them. He became angry and pulled off his coat, causing me to think he was going to fight. It was not until then that I struck him. He at once paid for the drinks. That was all there was to the affair." Judge Diehl will decide the case this morning.

## SPITTERS, BEWARE! THE LADIES WILL GET YOU IF YOU DON'T WATCH OUT

The long despised ordinance in regard to expectoration is to be revived. At the meeting of the American Woman's club held yesterday afternoon at the home of Mrs. Joseph Cohen, a communication was read from several individuals asking that the club take some definite steps in regard to this serious matter. Immediately on the reading of the letter, the meeting was turned into an "experience meeting," and the women present vied with one another in telling of the unsightly conditions existing through the non-enforcement of the expectoration law. It was asserted that the policemen in the downtown districts, street car conductors and others supposed to have some authority in regard to the matter, were criminally negligent in the performance of their duty. A committee

was appointed consisting of Mrs. G. H. Raybould, Mrs. William Passler and Mrs. M. S. Parker to draft a petition to the city council and present the matter at its next meeting. It is promised that the other clubs, both political and literary, will fall in line and work for the enforcement of the law. The Woman's American club also listened to a short talk by A. T. Schroeder, of anti-Mormon fame, on the history of the Mormon church, as he had studied it. Mr. Schroeder complained that he had had a hard time in the east holding the interest of outsiders on the Mormon question, and he said it was an easier matter to attract the unbelieving non-Christian people than it was to get the interest of good men and women who were working for their own church.

## LOCAL BRIEFS

**ACCUSED OF FRAUD.**—Tom Pappas was arrested last evening by Patrolman Riley charged with attempting to pass a cancelled check for \$22.75 at the store of Wolf & Levin at 34 West South Temple street.

**VICTIM'S FUNERAL TODAY.**—The funeral of John Masso, who was fatally stabbed at Mercer, will be held at 2 o'clock this afternoon.

**CONTAGION AT MARYSVILLE.**—Dr. E. P. Clarke of the state health board yesterday went to Marysville, where he had inquired into the prevalence of a disease, the nature of which at this time is in doubt.

**INSPECTOR IS TRANSFERRED.**—Postoffice Inspector H. G. Durand, who has been on duty in Salt Lake for two years, has been called to Washington. Mr. Durand may be retained in the eastern service.

**NEW CHARGES AT INFIRMARY.**—Superintendent Cottle of the county infirmary, during his recent visit, has seven new charges have been taken care of. The population of the infirmary is now eighty-nine.

**BIG SUIT IN PROGRESS.**—In the United States court the trial of the case is in progress of the Union Lime & Smelting company against the United States. The population of the infirmary is now eighty-nine.

**BOARD MEETS TONIGHT.**—The board of education will meet this evening at the board's rooms in the city and county building. The regular monthly routine will be taken up and in addition it is expected that a discussion of the present disease epidemic will be had.

**NEW WATER MAIN.**—The new water supply main which is to feed the central portion of the city, will probably be ready to open next Saturday. The main runs from Mt. Olivet cemetery down Fifth South street to Second West street. It was built at a cost of \$250,000.

**DIVORCE ASKED.**—Elizabeth, two yesterday asked for a divorce from Roscoe M. Tew on the ground of cruelty. The husband will be required to appear and show cause why he should not pay \$100 temporary alimony and \$100 attorney's fees pending the settlement of the action.

**SCHOOL PRINCIPALS MEET.**—The regular monthly meeting of the local school principals will be held at the superintendent's office Wednesday afternoon. The school teachers' meeting will be held in January just before the close of the first school semester.

**POWELL'S FUNERAL.**—The funeral of Lewis B. Powell, who died last evening in Murray Saturday evening of diabetes, will be held Wednesday afternoon at 2 o'clock at the First ward meeting house on Vine street. The services will be under the auspices of the I. O. O. F. lodge.

**DORMITORY ENTERED.**—A burglar visited the university dormitory at Second South and Thirteenth East streets Sunday night. His loot consisted of a gold watch valued at \$150, which was the property of A. Swan of Kaysville, a university student. It is supposed that the burglar gained entrance by a skeleton key.

**APPLICANTS FAIL.**—Yesterday was to have been naturalization day in the United States court, but no new citizens were admitted. Three were to have been examined—John N. Holtman of Park Valley, John Moore of Ogden and Alfred E. Lane of Elgin. Their failure was due to the fact that they did not have their witnesses in court at the proper time.

**DEBATING TEAMS NAMED.**—Two of the teams that will compete in the inter-class debating series at the university have been selected. The first team will be represented by H. E. Woolley and J. E. Pixon, with Hugo Anderson as alternate. The sophomore debaters are D. Cummings and E. Johnson. These two teams will meet soon in the first of the inter-class debates.

**HEARINGS ARE CONTINUED.**—The hearings of the cases of the United States against the Utah Fuel company and Theodore A. Moore, who were brought by Schultheis were continued yesterday. Telegraphic information was received that Judge J. A. Maynard for the government and Judge J. M. Allison for the defense had agreed to a continuance for the term. The setting was for January 2.

**Uncalled-for suits and overcoats, \$10 and up. Daniels, 57 W. 2d South.**  
Ask your grocers for the Vienna Walnut Bread.

## CATARRH YIELDS

To Healing Air of Hyomei—Sold Under Guarantee by F. C. Schramm.

Catarrh is the most prevalent disease known to humanity. Probably ninety per cent of the people in this country suffer at one time or another with this common disease.

It is a germ disease and hence can be cured only by some method that will reach and destroy the germs.

This is best found in Hyomei, which may be called the direct method of treating catarrh, as its medication, taken in with the air you breathe, goes directly to every air cell in the nose, throat and lungs; kills all catarrhal germs; heals the irritated mucous membrane and vitalizes the tissues so as to render catarrh no longer possible.

F. C. Schramm gives his absolute guarantee to refund his price to any catarrh sufferer that Hyomei fails to benefit.

**You Can't See See Yourself as Others See You,**

But you can get a pretty good idea of how you look in one of

**Schramm's Mirrors.**

We can't fail to suit you in price, either, as the mirrors run from

**25c to \$25**

Hand mirrors, standing mirrors, hanging mirrors, triplicate and pocket mirrors, and especially attractive shaving mirrors.

**SCHRAMM'S**

Where the Cars Stop.

## WATER BOND FUND GOES TO MORAN

Favored Contractor Gets \$845,000 Out of \$850,000 of the City's Money.

STILL HAS \$50,000 COMING

COUNCIL IS NOW WORRYING HOW TO PAY HIM.

The council last evening discovered that there is only \$5,000 left in the water bond fund of \$850,000 voted January 3, 1905, to complete the city's water system.

A week ago the council passed an estimate of \$7,000 for this work in favor of Moran. According to Councilman Ferry, it was placed on the appropriation list "inadvertently," as he had requested that it go to the finance committee, of which he is chairman. Inquiry from the auditor developed the fact that there is only \$5,000 left in the fund which can be utilized, although there is \$32,000 additional which has already been voted Moran but has been kept as part of the 15 per cent deposit required by the city until the work is finished. Moran has claims against this fund for about \$50,000 more, and the finance committee of the council will have to find a way to pay him.

The superintendent of streets reported that S. Birch, contractor for sidewalk extension No. 116, had not completed his job, and that the streets where he has excavated are in bad shape. The engineering committee will look into the matter. The district is between Tenth and Thirteenth East streets, and Brigham and Fifth South streets.

Agnes M. Coalter presented a claim for \$2,000 damages for change of grade to her property on Second avenue. It went to the claims committee.

The mayor's veto of the juvenile court resolution was received and the resolution amended by omitting the clause requiring the payment of rent and only requiring the court to move by January 1 in order to make room for the city auditor. The court will probably be given quarters in the room now occupied by the auditor.

Payrolls amounting to \$12,432.75 for the last two weeks in November were approved.

## NO MORE CONSTRUCTION.

Oregon Short Line Crews Laid Off for Winter.

The reported resumption of construction work on the Harriman lines will not affect the Oregon Short Line crew. All the construction crews on the Short Line have been laid off until spring. This applies to the construction work on the Yellowstone park branch and the double tracking between Salt Lake and Pocatello. When asked when the Short Line would renew construction work, Floyd H. Knickerbocker, secretary to Mr. Bancroft, said yesterday: "There will be no more construction work done by the Short Line until spring. Construction work in the winter time is too expensive a proposition to handle."

**YOU ARE SPECIALLY INVITED.**  
To open an account with us in our new home. We accept both kinds, subject to check and savings, allowing interest on the latter at 4 per cent per annum.

We also have safe deposit boxes for rent, the finest and best protected in the west, ranging in price from \$3.50 to \$25.00 per annum, according to size. Call and put away your valuables before the enterprising burglar gets them.

We also furnish surety bonds and make abstracts and guarantee titles and act in any fiduciary capacity at a minimum of expense.

If you are not prepared to do business with us yet, call anyway, and inspect our new quarters. You will be welcome, and everybody says it is well worth a visit.

**UTAH SAVINGS & TRUST COMPANY.**  
No. 235 Main Street.  
In the business heart of the city.

Dr. J. C. Hanchett, office 200-201 McCormick building. Residence, 406 East Second South street. Both phones.

**The Reason**  
Our brushes always lead, lies in the brushes themselves.

They contain the best bristles. They are carefully bound. They are well made. They do better work. They last longer. They cost less in the end.

A brush for every purpose.

**Morrison, Merrill & Co.**  
28 MAIN ST.  
Bell Exc. 9. Ind. 501



## Shirt Hint For You.

Stars—  
Coat style;  
Stiff, or winter soft styles;  
Plain or pleated;  
Cuffs attached or separate.

\$1.75, \$2.00 or \$2.50.

**Segel's**  
228-230 MAIN

## While Burglars Are Burgling

Don't forget that we write insurance against burglary. For a premium so small you would be surprised we will write you a policy of insurance indemnifying you against all loss by burglary or theft, including the damage done by the burglars to the premises. If you are going away for awhile, you shouldn't be without one of these policies. We write burglary insurance covering stores, residences, banks, etc.

This is only one of our lines. By the way, DON'T FORGET OUR NEW NUMBER, 52 West Second South street—Central block, over Salt Lake Hardware Co.

Coming to real estate, we can sell you a new 5-room brick cottage for \$1,900 and on a payment of only \$250. Why be without a home?

Here are a few others:  
\$1,700—Four-room frame, close in on 4th East; half cash, balance \$15 per month.  
\$2,150—Four-room frame, modern, Second avenue.  
\$2,150—Four-room brick, modern, four blocks east of our office.  
\$2,900—Seven-room frame, with bath, large barn and outbuildings; southeast on Waterloo car line; \$500 cash, balance easy payments.  
\$2,500—Six-room, two-story brick, on 5th East car line; \$500 cash, \$30 per month.  
\$2,500—Three-room frame, with 30x20 rods, two car lines, close in; \$500 cash, balance \$20 per month.  
\$3,500—One of the prettiest five-room modern brick cottages on Seventh avenue. Can make terms.  
\$4,000—Six-room modern brick, large lot, fruit and shade trees, nice barn; South Main street. Can make terms.  
\$4,500—Two-story, six-room modern home on Seventh avenue. Easy terms.  
\$5,000—Two-story, seven-room modern brick, on Third avenue; \$1,700 cash, balance at 7 per cent.  
\$5,000—Seven-room modern home, large lot, near 3d South and 4th East.  
\$5,250—Six-room new modern brick cottage. A beautiful home. Close in on the north bench.  
\$7,000—Eight-room modern, corner lot, near the university.  
\$8,000—Eight-room, two-story, white pressed brick, modern in every way. One of the prettiest homes in the city.  
We have vacant property in all parts of the city. Look at FEDERAL HEIGHTS, east end Brigham street. We are the Agents.

**STOWE & PALMER**  
Howard S. Stowe Eugene B. Palmer  
**THE REALTY MEN**  
(CONTROLLING WILSON-SHERMAN CO.)  
INSURANCE THAT INSURES  
(Lessee's Lynn-Smith Co., Insurance.)  
52 West Second South Street. Both Phones 452  
"YOU CAN'T KEEP A GOOD TOWN DOWN."

## BOARD REMOVES DAY'S LAST HOPE

Declines to Intervene to Save Colored Murderer From Death Penalty.

Unless the unforeseen happens between this date and the 13th, A. T. Day, the colored murderer of H. H. Voss, also colored, will pay the death penalty. The board of pardons yesterday refused to interfere and the judgment of the court will stand. That judgment is that Day shall be put to death.

Day was taken from his cell at the state penitentiary to the wardens' office, where he presented his plea. According to the members, Day's statement did not go outside the record of the testimony taken at the trial, save in the particular that he denied having intention of killing Voss.

The final decision of the board was that the man had been given a fair trial and the verdict to permit the law to take its course followed. The board of pardons consists of Governor J. C. Cutler, Attorney General Breckenridge, who is secretary, and the justices of the supreme court, Judges McCarty, Frick and Straup.

**WOULD ENJOIN TREASURER.**  
M. & N. Lichtenstein Declare Their Assessment Is Too High.

Alleging that their assessment is too high, M. & N. Lichtenstein, jewelers, yesterday brought suit against John A. Groesbeck, county treasurer, to restrain him from advertising their tax of \$2,424.50 as delinquent and from levying on the property at their store, 214 South Main street, to collect the amount.

The complaint states that C. M. Brown, county assessor, valued their property at \$25,000. The board of equalization raised the assessment to \$35,000. The Lichtensteins have offered to the county treasurer \$32,500, which would be the tax if the original assessment had remained, but the treasurer has refused to accept it, and demands the full amount of tax.

A temporary restraining order was issued pending the hearing of the case.

**YOU ARE GOING TO BUY**  
Your Brushes of us some day, why not now? We have everything in bristle goods for the toilet. See our "Everlasting" dollar Hair Brush.

F. J. HILL DRUG CO.  
"The Never Substitutors."

## PREDICTS FAIR WEATHER

Bureau Says High Pressure Is Assurance of Clear Skies—Fine Record for November.

Beginning with a dense fog which hung over the city for half the day yesterday, Salt Lake shortly after noon emerged and lived in the enjoyment of fair skies. The sun shone brightly, the temperature was mild and the air was balmy. The prediction for today made by the weather bureau is continued fair weather, due to high pressure over this section.

The monthly meteorological summary for November was issued yesterday. It shows that clear days were the rule. The highest temperature occurred on Nov. 2 and 26, when 62 was recorded. The lowest temperature occurred on Nov. 22, when the instrument recorded 24 degrees.

**A CUP OF CHERRY GOODNESS**  
Is the pure, wholesome and exhilarating Coffee served piping hot at our Fountain, with Mrs. Brown's Hot Tamales.

F. J. HILL DRUG CO.  
"The Pure Drinks Store."

**Burglary.**  
R. W. Sloan, suite 400 McCormick Bldg., was caught last night with a bunch of burglary insurance policies on him. Both phones 407.

**Gordon & Dilworth**  
High Class Conserves.

A carload selected for the holiday trade. Pineapple, sliced or shredded; Canton preserved and crystallized ginger, half-foot jelly in port or sherry wine, branded figs, stuffed dates, branded free-stone peaches, cherries, variety of berries, mincemeat, blackberry brandy, stuffed olives, and catsup—all put up in most appetizing form. Make an early selection for Christmas needs.

**UNITED GROCERY CO.**  
Wholesale and Retail.